

1 A bill to be entitled
2 An act relating to privileged communications made to
3 crime stoppers organizations; amending s. 16.557,
4 F.S.; prohibiting a person from knowingly and
5 willfully attempting to obtain, obtaining, or
6 disclosing a privileged communication or protected
7 information; providing a penalty; providing an
8 exemption from criminal liability for employees, board
9 members, or volunteers of a crime stoppers
10 organization in certain circumstances; providing
11 immunity from civil liability for certain actions by
12 specified persons concerning privileged
13 communications; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Section 16.557, Florida Statutes, is amended to
18 read:

19 16.557 Crime stoppers organizations; disclosure of
20 privileged communications or protected information; civil
21 immunity; use.—

22 (1) As used in this section, the term:

23 (a) "Crime stoppers organization" means a private not-for-
24 profit organization that collects and expends donations for
25 rewards to persons who report to the organization information

26 concerning criminal activity, and forwards that information to
 27 appropriate law enforcement agencies.

28 (b) "Privileged communication" means the act of providing
 29 information to a crime stoppers organization for the purpose of
 30 reporting alleged criminal activity.

31 (c) "Protected information" includes the identity of a
 32 person who engages in privileged communication with a crime
 33 stoppers organization and any records, recordings, oral or
 34 written statements, papers, documents, or other tangible items
 35 provided to or collected by a crime stoppers organization, a law
 36 enforcement crime stoppers coordinator or his or her staff, or a
 37 law enforcement agency in connection with such privileged
 38 communication.

39 (2) (a) Except ~~pursuant to criminal discovery or as~~
 40 provided in paragraph (b), a person who knowingly and willfully
 41 attempts to obtain, obtains, or discloses a privileged
 42 communication, ~~or~~ protected information, or ~~any~~ information
 43 concerning a privileged communication or protected information
 44 commits a felony of the third degree, punishable as provided in
 45 s. 775.082, s. 775.083, or s. 775.084.

46 (b) This subsection does not apply to:

47 1. The person who provides the privileged communication or
 48 protected information; ~~or~~

49 2. An employee, board member, or volunteer of a crime
 50 stoppers organization while acting in the course and scope of

51 his or her duties or functions;

52 ~~3.2.~~ A law enforcement officer or an employee of a law
53 enforcement agency or the Department of Legal Affairs when he or
54 she is acting within the scope of his or her official duties; or

55 4. A person complying with criminal discovery rules.

56 (c) This subsection does not limit the right of any
57 criminal defendant to criminal discovery.

58 (3) A person who, in the course and scope of his or her
59 duties or functions receives, forwards, or acts on a privileged
60 communication is immune from civil liability for damages
61 resulting from an act or omission in the performance of his or
62 her duties or functions unless the act or omission was
63 intentional or grossly negligent.

64 Section 2. This act shall take effect October 1, 2021.